

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

GREAT NOTIONS, INC.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:06CV959 RWS
	)	
JANET EBERT,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

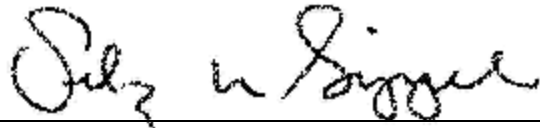
This matter is before me on defendant's motion to quash subpoenas issued to third parties. The motion will be granted because plaintiff was not authorized to conduct discovery on third parties when the subpoenas were issued. See Fed. R. Civ. P. 26(d) ("Except in categories of proceedings exempted from initial disclosure under Rule 26(a)(1)(E), or when authorized under these rules or by order or agreement of the parties, a party may not seek discovery from any source before the parties have conferred as required by Rule 26(f)."). Because this case has been reassigned to me, I will vacate the Order of initial discovery entered by Magistrate Judge David D. Noce. Once the pending motion to consolidate is fully briefed, I will issue my opinion and this case will proceed in accordance with the Court's local rules and the Federal Rules of Civil Procedure. Finally, I remind counsel to demean themselves with civility to each other and the Court in all pleadings filed in

this case.

Accordingly,

**IT IS HEREBY ORDERED** that the defendant's motion to quash subpoenas [#17] is granted.

**IT IS FURTHER ORDERED** that the Order entered June 23, 2006 [#5] is vacated.

A handwritten signature in cursive script, appearing to read "Rodney W. Sippe", written in black ink.

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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 18th day of August, 2006.